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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,081	08/14/2000	Naotaka Katoh	JA9-1999-0145.US1	1009

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EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 08/04/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/638,081

**Applicant(s)**

KATOH ET AL.

**Examiner**

Beemnet W Dada

**Art Unit**

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5/03/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Claims 1, 8, 11, 15 and 16 have been amended and new claims 19-21 have been added on an amendment filed on 4/30/04. Claims 1-21 have been examined.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Morisawa et al. (hereinafter Morisawa) (US Patent No. 5,931,948).

4. As per claims 1, 4 and 16, Morisawa teaches a method for preventing an unauthorized access to information equipment comprising the steps of:

obtaining current utilization information of the information equipment [column 21, lines 37-67, column 22, lines 1-9 and figures 8a and 8b];

storing passwords in an electrically writeable read only memory having access controls that control access to reading and/or writing the passwords [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26].

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informing a user of the current utilization information [figure 8a and 8b, column 21, lines 37-52 and column 23, lines 43-59]; and

writing utilization information to be obtained next time or information necessary for obtaining utilization information next time into the electrically writeable read only memory, and using the access controls to read and/or write utilization information and to block access to such utilization information [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26]; and

writing utilization information in at least any one of when the information equipment is powered on, when the information equipment resumes from a power saving mode, and when a specific function of the information equipment is selected [column 14, lines 16-26, column 5, lines 57-67 and column 6, lines 1-4, lines 61-67].

5. As per claims 8, and 11, Morisawa teaches a computer (information equipment) comprising:

a non-volatile storage means that can lock storage contents [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26];

a utilization information management unit for obtaining current utilization information about the computer in at least any one of timing just after the computer is powered on, and timing just after the computer resumes from a power saving mode, and writing utilization information to be obtained next time or information necessary for obtaining utilization information next time into the storage means, and locking storage contents [column 14, lines 16-26, column 5, lines 57-67 and column 6, lines 1-4, lines 61-67 ]; and

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using the controls for controlling access to the passwords to write and/or read and to lock access to such information into the writeable read only storage means [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26]; and

a teaching unit for informing a user of the current utilization information obtained by the utilization information management unit [figure 8a and 8b, column 21, lines 37-52 and column 23, lines 43-59].

6. As per claim 15, Morisawa teaches a recording medium recording a program for making a computer execute processing including:

a first step of obtaining current utilization information about the computer in at least any one of timing just after the computer is powered on, and timing just after the computer resumes from a power saving mode, writing utilization information to be obtained next time or information necessary for obtaining utilization information next time into a nonvolatile storage means used for storing passwords that can lock storage contents, and locking the storage contents of the storage means [column 14, lines 16-26, column 5, lines 57-67 and column 6, lines 1-4, lines 61-67]; and

a second step of informing a user of the current utilization information obtained [figure 8a and 8b, column 21, lines 37-52 and column 23, lines 43-59].

7. As per claims 2, 5, 9, 12 and 17, Morisawa teaches the method / apparatus as applied to claims 1, 4, 8 and 11 above. Furthermore, Morisawa teaches the method, wherein the current utilization information includes at least one of the last date and time of power-on or the last date and time of power-off of the information equipment, the last date and time of shifting the information equipment to the power saving mode or the last

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date and time of resuming the information equipment from the power saving mode and the last date and time when a specific function of the information equipment was selected or the last date and time when use of the specific function of the information equipment was completed and each time the computer equipment is powered on or returned from unattended start mode, the system records the date and time of the use [column 20, lines 31-48 and column 25, lines 53-67, column 26, lines 1-19].

8. As per claims 3, 7, 10 and 14, Morisawa teaches the method / apparatus as applied to claims 1, 4, 8, and 11 above. Furthermore, Morisawa teaches the method, wherein the current utilization information of the information equipment is obtained by reading utilization information that should be obtained next time and is written in the storage means, or by reading information necessary for obtaining the utilization information written in the storage means and performing predetermined calculation with using the information that is read [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26].

9. As per claim 6 and 13, the Morisawa teaches the method / apparatus as applied to claim 4 and 11 above. Furthermore, Morisawa teaches the method, wherein the storage means comprises an EEPROM that can lock storage contents and release the lock of the storage contents when power supply is stopped [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26].

10. As per claim 18, Morisawa teaches the method as applied to claim 17 above. Furthermore, Morisawa teaches the method further including: software for writing

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utilization information to be obtained or information necessary for obtaining utilization information into a non-volatile storage means that can lock storage contents, and locking the storage contents of the storage means [column 5, lines 57-67, column 6, lines 1-4, lines 61-67 and column 14, lines 16-26].

11. As per claims 19-21, Morisawa teaches the method as applied to claims 1, 2 and 17 above. Furthermore, Morisawa teaches the method including the steps of providing the writeable read only store with access control with the ability to providing in the alternative no access, read only access and no access constraints (supervisor privilege, maintenance privilege, password updating right) [column 15, lines 50-67 and column 16, lines 1-34].

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

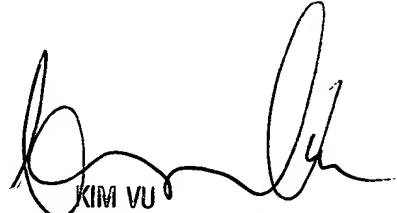
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

July 13, 2004

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
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